

RECORD OF DECISION – CMOH Order 19-2020 which modifies CMOH Orders 01-2020, 02-2020 and 07-2020

Re: 2020 COVID-19 Response

Whereas I, Dr. Deena Hinshaw, Chief Medical Officer of Health (CMOH) have initiated an investigation into the existence of COVID-19 within the Province of Alberta.

Whereas the investigation has confirmed that COVID-19 is present in Alberta and constitutes a public health emergency as a novel or highly infectious agent that poses a significant risk to public health.

Whereas under section 29(2.1) of the *Public Health Act* (the Act), I have the authority by order to prohibit a person from attending a location for any period and subject to any conditions that I consider appropriate, where I have determined that the person engaging in that activity could transmit an infectious agent. I also have the authority to take whatever other steps that are, in my opinion, necessary in order to lessen the impact of the public health emergency.

Whereas I made:

- (a) Record of Decision – CMOH Order 01-2020 on March 16, 2020;
- (b) Record of Decision – CMOH Order 02-2020 on March 17, 2020; and
- (d) Record of Decision – CMOH Order 07-2020 on March 27, 2020.

Whereas having determined that it is possible to permit Albertans to attend certain locations or places, and engage in certain activities, within the Cities of Calgary and Brooks where the risk of COVID-19 transmission can be mitigated if persons adhere to public health measures and guidelines, I hereby make the following Order which applies despite any provision of Record of Decision – CMOH Order 01-2020, 02-2020 and 07-2020:

Part 1 - Application

1. This Order applies within the cities of Calgary and Brooks, Alberta.

Part 2 – Phased relaunch

2. Effective May 14, 2020, any provision in any of Record of Decision – CMOH Order 01-2020, 02-2020 and 07-2020 that prevents the operation of a retail business, day care, museum or art gallery or limits its normal course of operation is of no force or effect.
3. For the purposes of Part 2 of this Order, “day care” is defined as any of the following child care programs licensed under the *Child Care Licensing Act*.
 - (a) a “day care program” as defined in the *Child Care Licensing Regulation*;

- (b) an “out of school care program” as defined in the *Child Care Licensing Regulation*;
 - (c) an “innovative child care program” as defined in the *Child Care Licensing Regulation*.
4. Effective May 25, 2020, any provision in any of Record of Decision – CMOH Order 01-2020, 02-2020 and 07-2020 that prevents the operation of a hair salon, barber shop, restaurant, bar or pub or limits its normal course of operation is of no force or effect.
 5. The operator of a business or entity referred to in section 2 or 4 of this Order must, as of the date that any provision of Record of Decision – CMOH Order 01-2020, 02-2020 or 07-2020 no longer applies to the operator:
 - (a) implement practices to minimize the risk of transmission of infection among persons working at or attending the business or entity;
 - (b) provide procedures for rapid response if a person develops symptoms of illness while working at or attending the business or entity;
 - (c) ensure that persons working at or attending the business or entity maintain high levels of sanitation and personal hygiene;
 - (d) comply, to the extent possible, with any applicable Alberta Health guidance found at: <https://www.alberta.ca/biz-connect.aspx>.
 6. An operator referred to in section 5 of this Order must
 - (a) complete a plan that sets out how the operator will meet the requirements of section 5 of this Order; and
 - (b) within 7 days of the public being able to attend the location where the place of business or entity, as applicable, is operating, post the plan on a public website or in a place at the location where it can be readily seen by persons attending the location.
 7. An operator of a business or entity listed or described in Appendix A must ensure that the place of business or entity is closed to the public.
 8. Part 2 of this Order is rescinded effective May 31, 2020.

Part 3 – Relaunch as of June 1, 2020

9. Part 3 of this Order is effective June 1, 2020.

10. If any of sections 11 to 17 of this Order are inconsistent or in conflict with a provision in Record of Decision – CMOH Order 01-2020, 02-2020 or 07-2020 the section of this Order prevails to the extent of the inconsistency or conflict.
11. A person may attend a location where any business or entity is operating, except a business or entity that is listed or described in Appendix A. For greater certainty, any business or entity other than a business or entity listed or described in Appendix A is permitted to offer or provide goods and services to members of the public at a location that is accessible to the public.
12. An operator of a business or entity listed or described in Appendix A must ensure that the place of business or entity is closed to the public.
13. An operator may operate a place of worship and a person may attend any place of worship.
14. A student may attend any class or program offered at any school, except a school that is listed or described in Appendix A.
15. An operator of a school listed or described in Appendix A must ensure that the school is closed to the public.
16. For the purposes of this Order, “school” includes
 - (a) a school as defined in section 4 of Record of Decision – CMOH Order 01-2020;
 - (b) a place referred to in section 5 of Record of Decision – CMOH Order 01-2020; and
 - (c) an institution, program, training provider or entity referred to in section 6 of Record of Decision – CMOH Order 01-2020.
17. Despite section 15 of this Order, a person may attend a school listed or described in Appendix A for the purposes of receiving, offering or providing the following child care programs licensed under the *Child Care Licensing Act*:
 - (a) a “day care program” as defined in the *Child Care Licensing Regulation*;
 - (b) an “out of school care program” as defined in the *Child Care Licensing Regulation*;
 - (c) an “innovative child care program” as defined in the *Child Care Licensing Regulation*.
18. An operator of a place of worship and an operator of a business, entity or school other than a business, entity or school listed or described in Appendix A must:

- (a) implement practices to minimize the risk of transmission of infection among persons working at or attending the place of worship, business, entity or school;
- (b) provide procedures for rapid response if a person develops symptoms of illness while working at or attending the place of worship, business, entity or school;
- (c) ensure that persons working at or attending the place of worship, business, entity or school maintain high levels of sanitation and personal hygiene;
- (d) comply, to the extent possible, with any applicable Alberta Health guidance found at: <https://www.alberta.ca/biz-connect.aspx>.

19. An operator referred to in section 18 of this Order must

- (a) complete a plan that sets out how the operator will meet the requirements of section 18 of this Order; and
- (b) within 7 days of the public being able to attend the location where the place of worship, business, entity or school, as applicable, is operating, post the plan on a public website or in a place at the location where it can be readily seen by persons attending the location.


20. For greater certainty, any provision in any of Record of Decision – CMOH Order 01-2020, 02-2020 and 07-2020 that limits the normal course of operation of a place of worship, business, entity or school, other than a business, entity or school listed or described in Appendix A, is of no force or effect.

Part 4 – General

21. Notwithstanding anything in this Order, the Chief Medical Officer of Health may exempt a person or a class of person from the application of this Order.

22. This Order remains in effect until rescinded by the Chief Medical Officer of Health.

Signed on this 14 day of May, 2020.


Deena Hinshaw, MD
Chief Medical Officer of Health

Document: Appendix A to Record of Decision – CMOH Order 18-2020 and 19-2020

Subject: Businesses, Entities and Schools Closed to the Public

Date Issued: May 14, 2020

Scope of Application: As per Record of Decision – CMOH Order 18-2020 and 19-2020

Overview

This document outlines the businesses, entities and schools that must be closed to the public while Record of Decision - CMOH Orders 18-2020 and 19-2020 remain in effect.

1. Personal Service Business or Entity

- a business or entity offering or providing a personal service, as defined in section 10 of Record of Decision - CMOH Order 07-2020, excluding:
 - Hair styling and barber services.

2. Wellness Service Business or Entity

- a business or entity offering or providing a wellness service, including massage therapy services and reflexology services.

3. Health Service Business or Entity

- a business or entity offering or providing a non-essential health service, as defined in section 8 of CMOH Order 07-2020, that is provided by a person other than a regulated member of a college established under the *Health Professions Act*.

4. Recreational or Entertainment Business or Entity

- a business or entity offering or providing access to a recreational facility or an entertainment facility, including:
 - Indoor gyms, indoor fitness centres, recreation centres;
 - Pools as defined in the *Public Swimming Pools Regulation*;
 - Arenas;
 - Science centres;
 - Community centres;
 - Libraries;
 - Indoor children's play centres;
 - Theatres, movies theatres, auditoriums, concert halls, and community theatres;
 - Casinos;
 - Bingo halls;
 - Racing entertainment centres;
 - Amusement parks and water parks;
 - Nightclubs; and
 - Banquet halls and conference centres.

5. Festival or Event Business or Entity

- a business or entity offering or providing any of the following activities:
 - Festivals;
 - Concerts;
 - Exhibitions;
 - Sporting events or competitions.

6. Schools (K-12)

- a school as defined in sections 4(a), 4(b) and 4(c) of Record of Decision - CMOH Order 01-2020.
- a pre-school program as defined in the *Child Care Licensing Regulation*.
- an early childhood service program within the meaning of the *Early Childhood Services Regulation*.